

Application Number: 09/896,567Docket Number: 10010930-1

REMARKS

Upon entry of this Response, claims 1-4, 7-13, 16-22, and 25-27 remain pending in the present patent application. Claims 1, 10, and 19 have been amended herein. Applicant requests reconsideration of the pending claims in view of the following remarks.

In item 5 of the Office Action, claims 1-4, 7-13, 16-22, and 25-27 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,055,522 issued to Krishna (hereafter "*Krishna*"). A prima facie case of obviousness is established only when the prior art teaches or suggests all of the elements of the claims. MPEP §2143.03, In re Rijckaert, 9 F.3d 1531, 28 U.S.P.Q.2d 1955, 1956 (Fed. Cir. 1993). In view of amendments to respective one of the claims recited above, Applicants assert that *Krishna* fails to show or suggest each of the elements of the claims. Accordingly, Applicants request that the rejection of these claims be withdrawn.

To begin, claim 1 recites as follows:

1. A method for formatting a publication, comprising:
 - associating, within a server, each of a plurality of content items with a select number of sub-templates selected from a plurality of sub-templates;
 - generating an instance file in the server, wherein the instance file specifies a template and a number of content items, and the instance file associating a respective one of the sub-templates with each of the content items;
 - generating an output file using the template, the sub-templates, and the content items specified in the instance file, wherein the template includes an undefined region, and wherein the sub-templates are employed in placing one of the content items in the undefined region, the sub-templates fitting into the undefined region, each of the sub-templates further comprising at least one copyhole, wherein the one of the content items is populated into the at least one copyhole when placing the one of the content items in the undefined region; and
 - a plurality of different combinations of the sub-templates may be associated with the corresponding content items, the undefined region being compatible with any one of the different combinations of the sub-templates, thereby facilitating the creation of a plurality of documents having a corresponding number of different layout configurations using the same template.

Application Number: 09/896,567Docket Number: 10010930-1

As set forth above, claim 1 recites that the sub-templates fit within the undefined region of the template, that each of the sub-templates further comprise at least one copyhole, and that content items are populated into the at least one copyhole when the content items are placed in the undefined region. Furthermore, claim 1 recites a plurality of different combinations of sub-templates that may be associated with corresponding content items and the undefined regions are compatible with any one of the different combinations of the sub-templates, thereby facilitating creation of a plurality of documents having a corresponding number of different layout configurations using the same template.

Applicants respectfully assert that *Krishna* fails to show or suggest each of these elements. Specifically, *Krishna* shows or suggests a system that facilitates providing dynamic content to client machines with browsers that are not capable of running embedded programs such as Active X or applets associated with web pages, etc. In this respect, a given web page might have various different permutations based upon actions taken by a user in manipulating various graphical components in the web page itself. Thus, the system of *Krishna* takes a single web page and creates multiple web pages that represent each permutation of change of the single web page based upon actions of the user.

The individual web pages within the set created are presented to a user based upon the user actions. In this respect, links between the various web pages within the set are created so that the user can navigate between the individual web pages by manipulating the components on the respective web pages. In this respect, dynamic content within a given web page may be presented to a user who is using a browser that is not capable of running the underlying applets or other programs associated with the web page. This is done by presenting multiple web pages consecutively based upon user action in place of the single page with the dynamic content.

Krishna simply does not discuss the concept of using sub-templates that fit within an undefined region of a document to place content, where the sub-templates include copyholes within which the content is populated. Also, *Krishna* does not contemplate the use of different combinations of sub-templates within a given undefined region so that multiple different types of documents may be created using the same template.

Application Number: 09/896,567Docket Number: 10010930-1

Accordingly, Applicants respectfully request that the rejection of claim 1 be withdrawn. In addition, claims 10 and 19 have been amended to incorporate subject matter similar in scope with that of claim 1 above, as amended. Accordingly, Applicants respectfully request that the rejection of claims 10 and 19 be withdrawn for the same reasons described above with respect to claim 1. In addition, Applicants request that the rejection of claims 2-4, 7-9, 11-13, 16-18, 20-22, and 25-27 be withdrawn as depending from claims 1, 10, or 19.

CONCLUSION

It is respectfully requested that all outstanding objections and rejections be withdrawn and that this application and all presently pending claims be allowed to issue. If the Examiner has any questions or comments regarding this Response, the Examiner is encouraged to telephone the undersigned.

Respectfully submitted,



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